

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LARRY FREUDENBERG, Individually And On
Behalf of All Others Similarly Situated,
Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,
Defendants.

Civil Action No. 07-cv-8538 (RWS)

CLASS ACTION

NOTICE OF APPEARANCE

To the Clerk of this court and all parties of record:

Please enter my appearance as counsel in this case for Lead Plaintiff, The Kristen-Straxton Group.

I certify that I am admitted to practice in this court.

Dated: July 23, 2008

Respectfully submitted,

BROWER PIVEN

A Professional Corporation

/s/ David A.P. Brower

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